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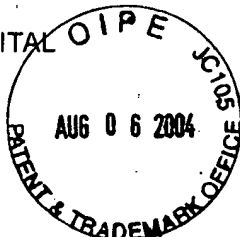
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/809,127	03/25/2004	Jonathan A. McCullers	044158/275894(5853-S)

CONFIRMATION NO. 7680

29312

ALSTON AND BIRD LLP
 ST. JUDE CHILDREN'S RESEARCH HOSPITAL
 BANK OF AMERICA PLAZA
 101 SOUTH TRYON STREET, SUITE 4000
 CHARLOTTE, NC 28280-4000



FORMALITIES LETTER



OC000000012899296

Date Mailed: 06/08/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$65** for a Small Entity

- **\$65** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
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*A copy of this notice **MUST** be returned with the reply.*

Teddy

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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Attorney's Docket No. 044158/275894(5853-5)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: McCullers
Appl No.: 10/809,127
Filed: March 25, 2004
For: USE OF NEURAMINIDASE INHIBITORS TO
PREVENT FLU ASSOCIATED BACTERIAL INFECTIONS

Confirmation No.: 7680
Group Art Unit: 1617

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

In response to the Notice to File Missing Parts of Application dated June 8, 2004, enclosed are the following:

- ☒ Part 2 of Formalities Letter or Form PTO-1533
(Notice to File Missing Parts of Application)
- ☒ Declaration and Power of Attorney for the above-identified application, which has been executed by the named inventor(s)
- ☒ Applicant claims small entity status
- ☒ Check in the amount of \$65 to cover the surcharge under 37 C.F.R. § 1.16(e)
- ☐ English Translation and \$130.00 (37 CFR 1.17(i)) fee for filing late.
- ☒ Other: Information Disclosure Statement, PTO Form 1449 (2 pgs), Copy of International Search Report for Related PCT Application PCT/US02/29417, and Copies of 8 of 9 Cited References
- ☒ Any deficiency, additional fee, or credit may be charged to our Deposit Account No. 16-0605.

Respectfully submitted,

Kathryn L. Coulter

Kathryn L. Coulter
Registration No. 45,889

Customer No. 29312 ALSTON & BIRD LLP Bank of America Plaza 101 South Tryon Street, Suite 4000 Charlotte, NC 28280-4000 Tel Raleigh Office (919) 862-2200 Fax Raleigh Office (919) 862-2260	CERTIFICATE OF MAILING I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on August 3, 2004 <i>Nora C. Martinez</i> Nora C. Martinez
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